

REMARKS

Claims 1-3 and 5-16 are pending in the present application. Claim 4 has been canceled.
New claims 15 and 16 have been added.

Claim Rejections – 35 U.S.C. § 103

(a) Claims 1-7, 9, 11-14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Abe et al. (USP 5,538,697) in view of Tsuzuki et al. (USP 6,185,933). This rejection is respectfully traversed.

Abe discloses an adsorbent-catalyst including an adsorbent layer (corresponds to the “HC absorbent” of the claimed invention of the present application) having a hydrocarbon adsorbability, and a catalyst layer (corresponds to the “three way catalyst” of the claimed invention) having a three-way catalytic activity or an oxidizing ability (col. 2, lines 4-7).

Abe states that the catalyst preferably comprises a layer of heat-resistance oxide containing at least one noble metal selected from Pt, Pd and Rh (col. 8, lines 22-26), and the adsorbent portion includes an adsorbent layer comprising zeolite as the main component (col. 8, lines 49-52).

Further, Abe states that zeolite contains at least one ion selected from the ions of Mg, Ca, Sr, Ba, Y, La, Ti, Ce, Mn, Fe, Cr, Ni, and Zn.

In other words, it is the adsorbent portion which contains Ni. As previously stated, the adsorbent layer corresponds to the “HC absorbent” of the claimed invention.

Abe, however, fails to disclose or suggest that the catalyst layer, which corresponds to the "three way catalyst" of the claimed invention, contains "a transition metal as a main element for absorbing CO in an exhaust gas." Accordingly, Abe fails to disclose or suggest the "catalytic converter" as recited in claim 1.

Tsuzuki discloses, in Fig. 1, an exhaust emission control device having a three-way catalyst 9 disposed in an upstream portion of an exhaust passage 3, and HC adsorbent-catalysts 10 and 11 disposed in series in the exhaust passage at a location downstream of the three-way catalyst 9.

Tsuzuki, however, fails to disclose or suggest that the three-way catalyst 9, which corresponds to the "three way catalyst" of the claimed invention, contains "a transition metal as a main element for absorbing CO in an exhaust gas." Accordingly, Tsuzuki fails to disclose or suggest the "catalytic converter" as recited in claim 1.

Therefore, even assuming, *arguendo*, that Abe and Tsuzuki can be combined, Abe in view of Tsuzuki fails to disclose or suggest the "catalytic converter" as recited in claim 1.

Claims 2, 3, 5-7, 9, 11-14, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

Claim 3 has been canceled.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(b) Claims 8 and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Abe et al. in view of Tsuzuki et al., and further in view of Yasui et al. (USP 6,681,567). This rejection is respectfully traversed.

Claims 8 and 10, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

New Claims

New claims 15 and 16 have been added.

Claim 15, dependent on claim 1, is allowable at least for its dependency on claim 1.

Claim 16 is allowable at least for the similar reasons as stated in the foregoing with respect to claim 1.

A favorable determination by the Examiner and allowance of these claims is earnestly solicited.

Conclusion

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of the pending claims in the present application are respectfully requested.

The Examiner is respectfully requested to enter this Reply After Final in that it raises no new issues. Alternatively, the Examiner is respectfully requested to enter this Reply After Final in that it places the application in better form for Appeal.

Application No.: 10/650,917
Reply dated July 28, 2005
Reply to Office Action of June 29, 2005
Page 11 of 11

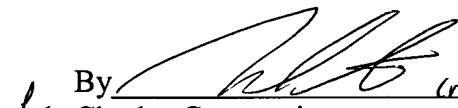
Docket No.: 1602-0182P

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi (#40,417) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or to credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: September 27, 2005

Respectfully submitted,

By 
Charles Gorenstein
Registration No.: 29,271
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Rd
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant